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WORKMEN'S COMPENSATION ACTS — PROVISIONS FOR DEATH BENEFITS: AT WHAT TIME DOES RIGHT OF ACTION ACCRUE? — The plaintiff's husband was hurt while in the defendant's employ and died on the following day. Between the time of the injury and the time of death a higher scale of death benefits under the Workmen's Compensation Act went into effect. The trial court allowed the plaintiff to recover under the new scale. *Held*, that the award was correct. *State ex rel. Carlson v. District Court*, 154 N. W. 661 (Minn.).

To support the defendant's contention that the plaintiff's right of action accrued at the time of the injury it may be argued that one violates duties towards others by acts, not by subsequent results, though certain consequences must ensue before the person affected can maintain his action, and therefore that the situation at the time of acting should govern. Here, however, what the defendant did or did not do is quite immaterial, for the Compensation Act provided for recovery even in case of accident. Furthermore, it is a fundamental principle of the law that one violates one's duties, thereby creating causes of action, not solely by doing an act, but by producing consequences that may happen long after the cause. See H. T. Terry, "Proximate Consequences in the Law of Torts," 28 HARV. L. REV. 10, 11. For example, one owes a duty to a father not to deprive him of the services of a daughter, and this duty is not broken until the loss of services, though that be months after the commission of the original tort. That the Compensation Act provided for the survival of the deceased's right of action is therefore the only basis on which can be supported the defendant's contention that the plaintiff's claim was founded on her husband's injury and not his death. This supposition is overcome by pointing out that the action accrued, not to the estate, but to the deceased's personal representative for the benefit of designated dependents, and also that the damages recoverable are such as result to the beneficiaries from the death. GEN. STATUTES OF MINN., 1913, ch. 84 A. See TIFFANY, DEATH BY WRONGFUL ACT, 2 ed., § 23. Moreover, the act of the principal case provides for an election between its provisions for death benefits and recovery under an older statute for wrongful death. GEN. STATUTES, *supra*, § 8204. And the latter has been construed to give an original right of action. *Anderson v. Fielding*, 92 Minn. 42, 99 N. W. 357, 359. It follows from these considerations that the plaintiff's right to recover was original and accrued on her husband's death when the higher compensation was in effect. This conclusion entails the enforcement in this case of retrospective legislation. See *Society for Propagation of the Gospel v. Wheeler*, 22 Fed. Cas. 756, 767. But since the constitution of Minnesota does not prohibit such statutes, the decision of the principal case remains correct. GEN. STATUTES, *supra*, pp. 2071-2099.

BOOK REVIEWS

EQUITY PRACTICE, STATE AND FEDERAL. Volumes I, II, and III. By Robert Treat Whitehouse. Chicago: Callaghan and Company. 1915. pp. cxiv, lxvi, xxxiv, 3296.

This work is confined entirely to those states where equity is administered as a separate system. It does not cover states where law and equity have been blended into a single system of procedure by a code. The first volume alone contains an exposition of principles with authorities. The second volume contains the principal statutory and code provisions on equity procedure now in force in the various jurisdictions where the English Chancery system is still essentially followed, and also the equity rules in force in these jurisdictions — compared and compiled down to January 1, 1915. These are arranged by